

Message Text

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41

ACTION AF-18

INFO OCT-01 ISO-00 DRC-01 IO-14 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 /109 W

----- 018457

R 220740Z AUG 74

FM AMCONSUL DURBAN

TO SECSTATE WASHDC 1788

INFO AMEMBASSY PRETORIA

AMCONSUL JOHANNESBURG

AMCONSUL CAPE TOWN

AMEMBASSY DAKAR

AMEMBASSY LUSAKA

UNCLAS DURBAN 0301

CAPE TOWN ALSO FOR EMBASSY

E.O. 11652: N/A

TAGS: PINS, SF

SUBJ: JUDGE REJECTS DEFENDANTS' ARGUMENTS IN PELSER
DEFAMATION CASE

REF: DURBAN 214

1. ACTING JUSTICE HILL AUGUST 20 DISMISSED WITH COSTS IN
PIETERMARITZBURG SUPREME COURT THE MOTION FOR DISMISSAL BY
DEFENDANTS IN DEFAMATION CASE BY FORMER MINISTER JUSTICE
PELSER AGAINST SUNDAY TIMES AND PROF. VAN NIEKERK OF
UNIVERSITY OF NATAL LAW FACULTY. JUDGE HELD THAT DESPITE
ASSERTIONS OF DEFENDANTS TO CONTRARY, A PUBLIC OFFICIAL WAS
ENTITLED TO PROTECTION OF THE LAW IF IMPUTATIONS OF DIS-
HONEST, UNJUST OR UNLAWFUL CONDUCT WERE MADE WHICH WOULD
PREJUDICE HIM IN HIS OFFICIAL CAPACITY OR BRING HIM INTO
PUBLIC CONTEMPT; FORMER MINISTER OF JUSTICE THEREFORE HAD
RIGHT TO SUE IN THIS CASE. TEXT OF JUDGMENT WILL BE POUCHED.

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2. VAN NIEKER PLANNING APPEAL DECISION TO APPEALS COURT

IN BLOEMFONTEIN.
HOLMES

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Draft Date: 22 AUG 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Reference: DURBAN 214
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